

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Joshua Edward Carlson,

Petitioner,

Civil 04-4732 JNE/FLN

v.

O R D E R

Robert Feneis, Warden,
M.C.F. Rush City, Minnesota D.O.C.,

Respondent.

Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Franklin L. Noel dated July 22, 2005, all the files and records, and no objections having been filed to said Report and Recommendation,

IT IS HEREBY ORDERED that Petitioner's petition for writ of habeas corpus [#1] is DENIED, and this case is dismissed with prejudice.

DATED: August 22, 2005.
at St. Paul, Minnesota

s/ Joan N. Ericksen
JUDGE JOAN N. ERICKSEN
United States District Court